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Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Austria, Botswana,* Denmark, France, Ireland, Mexico, Portugal, Spain, Sweden and United Kingdom of Great Britain and Northern Ireland: draft resolution

The right to development

The General Assembly,

Guided by the Charter of the United Nations, expressing in particular the determination to promote social progress and better standards of life in larger freedom as well as to employ international mechanisms for the promotion of the economic and social advancement of all peoples,

Recalling that the Declaration on the Right to Development[1] confirmed that the right to development is an inalienable human right and that equality of opportunity for development is a prerogative both of nations and of individuals, who make up nations,

Noting that the World Conference on Human Rights reaffirmed the right to development as a universal and inalienable right and an integral part of all fundamental human rights,

Recognizing that the Declaration on the Right to Development constitutes an integral link between the Universal Declaration of Human Rights[2] and the Vienna Declaration and Programme of Action adopted in June 1993[3] through its elaboration of a holistic vision integrating economic, social and cultural rights with civil and political rights,

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* On behalf of States Members of the United Nations that are members of the Movement of Non-Aligned Countries and China.

[1] Resolution 41/128, annex.

[2] Resolution 217 A (III).

[3] A/CONF.157/24 (Part I), chap. III.

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Expressing its concern, more than fifty years after the adoption of the Universal Declaration of Human Rights, that the unacceptable situation of absolute poverty, hunger, disease, lack of adequate shelter, illiteracy and hopelessness remains the lot of over one billion people,

Emphasizing that the promotion, protection and realization of the right to development are an integral part of the promotion and protection of all human rights,

Noting that the human person is the central subject of development and that development policy should therefore make the human being the main participant and beneficiary of development,

Stressing the importance of creating an economic, political, social, cultural and legal environment that will enable people to achieve social development,

Affirming the need to apply a gender perspective in the implementation of the right to development, inter alia, by ensuring that women play an active role in the development process,

Emphasizing that the empowerment of women and their full participation on the basis of equality in all spheres of society is fundamental for development,

Underlining the fact that realization of the right to development requires effective development policies at the national level, as well as equitable economic relations and a favourable economic environment at the international level,

Welcoming in this regard the adoption by the General Assembly of the Agenda for Development,[4] which declares that development is one of the main priorities of the United Nations and which aims at invigorating a renewed and strengthened partnership for development, based on the imperatives of mutual benefits and genuine interdependence,

Noting with concern that the Declaration on the Right to Development is insufficiently disseminated and should be taken into account, as appropriate, in bilateral and multilateral cooperation programmes, national development strategies and policies and activities of international organizations,

Recalling the need for coordination and cooperation throughout the United Nations system for a more effective promotion and realization of the right to development,

Underlining the important role of the United Nations High Commissioner for Human Rights in the promotion and protection of the right to development, as mandated in paragraph 4 (c) of General Assembly resolution 48/141 of 20 December 1993,

Recalling its previous resolutions and taking notes of resolution 54/175 of 17 December 1999 relating to the right to development,

Recalling also Commission on Human Rights resolution 2000/5 of 13 April 2000,[5]

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[4] Resolution 51/240, annex.

[5] *Official Records of the Economic and Social Council, 2000, Supplement No. 3* (E/2000/23), chap. III, sect. A.

Welcoming the report of the Intergovernmental Group of Experts on the Right to Development on its second session,[6] including the proposed strategy contained therein, and welcoming in particular the recommendation that a follow-up mechanism should be established to ensure promotion and implementation of the Declaration on the Right to Development,

1. *Reaffirms* the importance of the right to development for every human person and all peoples in all countries, in particular the developing countries, as an integral part of their fundamental human rights, as well as the potential contribution its realization could make to the full enjoyment of human rights and fundamental freedoms;

2. *Recognizes* that the passage of more than fifty years since the adoption of the Universal Declaration of Human Rights demands the strengthening of efforts to place all human rights and, in this context, the right to development in particular, at the top of the global agenda;

3. *Reiterates* that:

(a) The essence of the right to development is the principle that the human person is the central subject of development and that the right to life includes within its existence in human dignity the minimum necessities of life;

(b) The existence of widespread absolute poverty inhibits the full and effective enjoyment of human rights and renders democracy and popular participation fragile;

(c) For peace and stability to endure, national action and international action and cooperation are required to promote a better life for all in larger freedom, a critical element of which is the eradication of poverty;

4. *Reaffirms* that democracy, development and respect for human rights and fundamental freedoms, including the right to development, are interdependent and mutually reinforcing, and in this context affirms that:

(a) Development experiences of countries reflect differences with regard to both progress and setbacks, and that the development spectrum has a wide range, not only between countries but also within countries;

(b) A number of developing countries have experienced rapid economic growth in the recent past and have become dynamic partners in the international economy;

(c) At the same time, the gap between developed and developing countries remains unacceptably wide and developing countries continue to face difficulties in participating in the globalization process, and many risk being marginalized and effectively excluded from its benefits;

(d) Democracy, which is spreading everywhere, has raised development expectations everywhere, that their non-fulfilment risks rekindling non-democratic forces, and that structural reforms that do not take social realities into account could destabilize democratization processes;

[6] E/CN.4/1998/29.

(e) Effective popular participation is an essential component of successful and lasting development;

(f) Democracy, respect for all human rights and fundamental freedoms, including the right to development, transparent and accountable governance and administration in all sectors of society, and effective participation by civil society are an essential part of the necessary foundations for the realization of social and people-centred sustainable development;

(g) The participation of developing countries in the international economic decision-making process needs to be broadened and strengthened;

5. *Urges* all States to eliminate all obstacles to development at all levels, by pursuing the promotion and protection of economic, social, cultural, civil and political rights and by implementing comprehensive development programmes at the national level, integrating those rights into development activities, and by promoting effective international cooperation;

6. *Reaffirms* that all human rights are universal, indivisible, interdependent and interrelated and that the universality, objectivity, impartiality and non-selectivity of the consideration of human rights issues must be ensured;

7. *Affirms* that international cooperation is acknowledged more than ever as a necessity deriving from recognized mutual interest, and therefore that such cooperation should be strengthened in order to support the efforts of developing countries to solve their economic and social problems and to fulfil their obligations to promote and protect all human rights;

8. *Welcomes* the intention of the Secretary-General to give high priority to the right to development and urges all States to promote further the right to development as a vital element in a balanced human rights programme;

9. *Also welcomes* the high priority assigned by the United Nations High Commissioner for Human Rights to activities relating to the right to development and urges the Office of the High Commissioner to continue implementing Commission on Human Rights resolution 1998/72 of 22 April 1998;[7]

10. *Further welcomes* Economic and Social Council decision 1998/269 authorizing the establishment by the Commission of a follow-up mechanism, consisting of an open-ended working group on the right to development and an independent expert with a mandate to present to the working group at each of its sessions a study on the current state of progress in the implementation of the right to development, as provided for in Commission resolution 1998/72;

11. *Welcomes* the **holding** of the first session of the Working Group on the Right to Development under the chairmanship of Ambassador Dembri (Algeria), and encourages the Working Group to proceed with its second session, scheduled for January 2001;

12. ***Takes note*** **of the coordination mechanisms/initiatives within the United Nations system in which the Office of the High Commissioner for Human Rights participates to promote the implementation of the right to development, and welcomes the United Nations Development Programme's**

[7] *Official Records of the Economic and Social Council, 1998, Supplement No. 3* (E/1998/23), chap. III, sect. A.

Human Development Report 2000 **and the World Bank's** ***World Development Report 2000/2001: Attacking Poverty***, **which cover issues relevant to human rights and the right to development;**

12. (bis) ***Also takes note*** **of the second report/study of the independent expert on the implementation, of the right to development,[8] which focuses on poverty eradication as a priority area requiring attention in the realization of the right to development;**

13. *Invites* the High Commissioner to submit a report to the Commission each year for the duration of the mechanism, to provide interim reports to the Working Group on the Right to Development and to make those reports available to the independent expert, in each case covering:

(a) The activities of her Office relating to the implementation of the right to development as contained in her mandate;

(b) The implementation of resolutions of the General Assembly and the Commission on Human Rights with regard to the right to development;

(c) Inter-agency coordination within the United Nations system for the implementation of relevant resolutions of the Commission in that regard;

14. *Urges* the United Nations system to continue to support the implementation of the recent resolutions of the Commission on Human Rights regarding the right to development;

15. *Calls upon* the Secretary-General to ensure that the Working Group on the Right to Development and the independent expert receive all necessary assistance, in particular the staff and resources required to fulfil their mandates;

16. *Calls upon* the Working Group on the Right to Development to take note of the deliberations on the right to development during the fifty-fifth session of the General Assembly and the fifty-sixth session of the Commission on Human Rights and any other issue relevant to the right to development;

17. *Requests* the Secretary-General to submit to the General Assembly at its fifty-sixth session and to the Commission on Human Rights at its fifty-seventh session a comprehensive report on the implementation of the various provisions of the present resolution;

18. *Decides* to continue consideration of this question, as a matter of priority, at its fifty-sixth session.

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[8] A/55/306.